

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Kerstin MENANDER

Robert E. SOBOL

Serial No.: 10/598,356

Filed: August 24, 2006

For: COMBINATION OF AD-P53 AND  
CHEMOTHERAPY FOR THE  
TREATMENT OF TUMOURS

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: INGN:120US

Confirmation No.: 2981

**CERTIFICATE OF ELECTRONIC TRANSMISSION  
37 C.F.R. § 1.8**

I hereby certify that this correspondence is being  
electronically filed with the United States Patent and  
Trademark Office via EFS-Web on the date below:

August 11, 2008  
Date

Steven L. Highlander

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.  
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

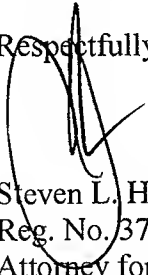
In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the  
United States Designated/Elected Office (DO/EO/US), dated June 9, 2008, there are enclosed  
herewith:

- (a) Declaration executed by Kerstin MENANDER and Robert E. SOBOL;
- (b) A second Preliminary Amendment;
- (c) A Power of Attorney on behalf of INTROGEN THERAPEUTICS, INC.;
- (d) A Statement under 37 CFR 3.73(b);

- (d) A Statement under 37 CFR 3.73(b);
- (e) Our payment via credit card in the amount of \$130.00 to cover the surcharge for late filing; and
- (f) A copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US).

The required fee in the amount of \$130.00 in connection with the filing of this paper are being charged to a credit card through EFS-Web concurrently with this submission. The Commissioner is hereby authorized to deduct any underpayment of fees or any additional fees required under 37 C.F.R. §§ 1.16 to 1.21 in connection with the filing of this paper from Fulbright & Jaworski Deposit Account No.: 50-1212/INGN:120US.

Respectfully submitted,

  
Steven L. Highlander  
Reg. No. 37,642  
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
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(512) 474-5201

Date: August 11, 2008



UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/598,356	KERSTIN MENANDER	INGN:120US
32425 FULBRIGHT & JAWORSKI L.L.P. 600 CONGRESS AVE. SUITE 2400 AUSTIN, TX 78701		INTERNATIONAL APPLICATION NO. PCT/US2005/006108
		LA. FILING DATE 02/24/2005
		PRIORITY DATE 02/24/2004

**CONFIRMATION NO. 2981**  
**371 FORMALITIES LETTER**



Date Mailed: 06/09/2008

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 08/24/2006
- Copy of the International Search Report filed on 08/24/2006
- Preliminary Amendments filed on 08/24/2006
- U.S. Basic National Fees filed on 08/24/2006
- Priority Documents filed on 08/24/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

VIRGINIA L IRBY

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